

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KELLEY CUNNINGHAM and TAMMYE CUNNINGHAM, JOHN PATRICK CONFAR, MICHAEL SNYDER, GEGORY BROUSSEAU and ROBERT SCHWAB Individually and on Behalf of all Other Persons Similarly Situated,

Plaintiffs,

-against-

ELECTRONIC DATA SYSTEMS CORPORATION,

Defendant.

Civil Action No. 06-cv-03530-LAP-MHD

BRIAN STEAVENS, TAMURA L. GOLDBERG, DANIEL HEIN, BART KUHLMAN, STEPHEN LENKNER and ROD DELUHERY Individually and on Behalf of all Other Persons Similarly Situated,

Plaintiffs,

-against-

ELECTRONIC DATA SYSTEMS CORPORATION,

Defendant.

Civil Action No. 08-CV-10409-LAP-MHD

JOHN SALVA, ERNEST CLEMENTS, and JEROME VINET Individually and on Behalf of all Other Persons Similarly Situated,

Plaintiffs,

-against-

HEWLETT-PARCKARD COMPANY,

Defendant.

Civil Action No. 1:14-cv-07484-UA

**NOTICE OF JOINT MOTION FOR PRELIMINARY APPROVAL OF SETTLEMENT
OF COLLECTIVE AND CLASS ACTION**

PLEASE TAKE NOTICE that on a date to be determined by the Court or as soon thereafter as counsel may be heard before the Honorable Loretta A. Preska or whomever may be sitting in her stead, in the United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York 10007, the undersigned counsel shall move, pursuant to § 16(b) of the Fair Labor Standards Act (“FLSA”) and Rule 23 of the Federal Rules of Civil Procedure, for an order:

- 1) granting preliminary approval of the proposed settlement;
- 2) preliminarily certifying, for settlement purposes only and pursuant to the terms of the Stipulation and Settlement Agreement between the parties, a proposed collective and class action settlement and settlement classes pursuant to Section 16(b) of the Fair Labor Standards Act and Rule 23 of the Federal Rules of Civil Procedure, as described in the Stipulation and Settlement Agreement and in the amended complaint in the *Salva* action, all for the purposes of providing notice to the members of the proposed Final Settlement Classes;
- 3) approving the form and content of and directing the distribution of the proposed Notice and Claim Form materials annexed as Exhibits 1 and 2 to Exhibit A of the Declaration of Seth R. Lesser;
- 4) appointing Plaintiffs’ Counsel as Class Counsel representing the Plaintiffs and the Final Settlement Classes named for purposes of the Stipulation and Settlement Agreement;
- 5) appointing the Plaintiffs named in the paragraph II(EE) of Stipulation and Settlement Agreement as the representatives of the settlement classes set forth therein;

- 6) appointing Garden City Group, Inc. as Claims Administrator;
- 7) setting the final fairness hearing for a date no earlier than two hundred and ten (210) days from the date of this motion, as required by 28 U.S.C. § 1715, at the Southern District of New York.

PLEASE TAKE FURTHER NOTICE that the parties will rely on the supporting memorandum and declaration submitted in support of this motion and all proceedings heretofore had in this proceeding. A proposed order accompanies this motion.

Dated: September 19, 2014

s/ Seth R. Lesser

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